

BROWNE GEORGE ROSS  
O'BRIEN ANNAGUEY & ELLIS LLP  
Keith J. Wesley (State Bar No. 229276)  
kwesley@bgrfirm.com  
Matthew L. Venezia (State Bar No. 313812)  
mvenezia@bgrfirm.com  
Serli Polatoglu (State Bar No. 311023)  
spolatoglu@bgrfirm.com  
Joachim B. Steinberg (State Bar No. 298066)  
jsteinberg@bgrfirm.com  
George B. A. Laiolo (State Bar No. 329850)  
glaiolo@bgrfirm.com  
2121 Avenue of the Stars, Suite 2800  
Los Angeles, California 90067  
Telephone: (310) 274-7100  
Facsimile: (310) 275-5697

Attorneys for Plaintiff Atari Interactive, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ATARI INTERACTIVE, INC.,

Plaintiff,

vs.

TEESPRING, INC.,

Defendant.

Case No. 4:19-CV-00111-JST-DMR

Hon. Jon S. Tigar, Ctrm 6

Hon. Donna M. Ryu for Discovery Matters

**PLAINTIFF ATARI INTERACTIVE  
INC.'S ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL PURSUANT TO  
L.R. 79-5**

Judge: Hon. Jon S. Tigar, Ctrm 6

Pretrial Conf: April 1, 2022

Trial Date: May 2, 2022

PLEASE TAKE NOTICE that pursuant to the Court's Standing Order Governing Administrative Motions, Local Rule 79-5, and 7-11, Plaintiff Atari Interactive, Inc. ("Plaintiff") submits its Administrative Motion for Leave to File Under Seal Portions of its Opposition to the Motion for Summary Judgment (the "Administrative Motion").

The Administrative Motion is being made because Atari seeks to use evidence in support of its Opposition to the Motion for Summary Judgment that includes its own trade secrets, commercially sensitive information, and agreements subject to confidentiality provisions. The Administrative Motion is further being made because Atari seeks to use evidence in support of its Opposition to the Motion for Summary Judgment designated as "Confidential" by Teespring, Inc., ("Teespring") pursuant to the Stipulated Protective Order (Dkt. No. 56).

Teespring designated the following deposition transcripts as "Confidential" (the Teespring-Designated Materials):

- Excerpts from the deposition of Dave Stevenson, attached as Exhibit C to the Declaration of Matthew L. Venezia in Support of Atari's Opposition to the Motion for Summary Judgment (the "Venezia Decl.")
- Excerpts from the deposition of Defendant's 30(b)(6) witness, Tracey Reeves, attached as Exhibit D to the Venezia Decl.
- Excerpts from the deposition of Brittany Fisher, attached as Exhibit E to the Venezia Decl

(Declaration of Matthew L. Venezia in Support of Administrative Motion for Leave to File Documents Under Seal ("Venezia Decl. ISO Seal."), ¶ 3.)

Further, the following documents contain Atari's trade secrets, commercially sensitive information, and agreements subject to confidentiality provisions (the "Atari Confidential Materials"):

- The Declaration of Casandra Brown.

(Venezia Decl. ISO Seal ¶ 4.)

Submitted herewith is the Venezia Decl. ISO Seal, which establishes that Teespring designated the Teespring-Designated Materials as "Confidential" pursuant to the Stipulated Protective Order, and further establishes good cause for filing the Atari Confidential Materials under seal. (*Id.* ¶ 6.) Pursuant to this Administrative Motion, Atari seeks leave to file under seal

1 the Teespring-Designated Materials, the Atari Confidential Materials, and the portions of its  
2 Opposition to the Motion for Summary Judgment where the foregoing materials are quoted and/or  
3 paraphrased.

4 To Atari's knowledge, Teespring does not oppose this application to file under seal. (*Id.*  
5 ¶ 7).

6 DATED: October 27, 2021

BROWNE GEORGE ROSS  
O'BRIEN ANNAGUEY & ELLIS LLP

7 Keith J. Wesley  
8 Matthew L. Venezia  
9 Serli Polatoglu  
10 Joachim B. Steinberg  
11 George B. A. Laiolo

12 By: /s/ Matthew L. Venezia  
13 Matthew L. Venezia  
14 Attorneys for Plaintiff Atari Interactive, Inc.  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**Atari Interactive, Inc. v. Teespring, Inc.**  
**United States District Court, Northern District of CA; Case No. 419-cv-00111-JST**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 2121 Avenue of the Stars, Suite 2800, Los Angeles, CA 90067.

On October 27, 2021, I served true copies of the following document(s) described as **PLAINTIFF ATARI INTERACTIVE INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 27, 2021, at Los Angeles, California.

  
Angelina Caviles

**SERVICE LIST**

*Atari Interactive, Inc. v. Teespring, Inc.*  
United States District Court, Northern District of CA; Case No. 4:19-cv-00111-JST

Anthony D. Phillips Counsel for Defendant Teespring, Inc.  
GORDON REES SCULLY MANSUKHANI,  
LLP  
275 Battery Street, Suite 2000  
San Francisco, CA 94111  
Tel: (415)875-3211  
Fax: (415)986-8054  
Email: [aphillips@grsm.com](mailto:aphillips@grsm.com)

Patrick J. Mulkern, Esq. Counsel for Defendant Teespring, Inc.  
GORDON REES SCULLY MANSUKHANI,  
LLP  
95 Glastonbury Blvd., Suite 206  
Glastonbury, CT 06033  
Tel: (860)494-7437  
Fax: (860)560-0185  
Email: [pmulkern@grsm.com](mailto:pmulkern@grsm.com)